

H-8364

1 Amend the amendment, H-8315, to House File 2473 as
2 follows:

3 1. Page 22, after line 21 by inserting:

4 <DIVISION
5 CARRYING AND POSSESSION OF WEAPONS

6 Sec. _____. Section 232.52, subsection 2, paragraph
7 a, subparagraph (4), subparagraph division (a),
8 subparagraph subdivision (viii), Code 2014, is amended
9 to read as follows:

10 (viii) Section 724.4, if the child ~~carried the~~
11 ~~dangerous weapon~~ used the knife in the commission of
12 a crime on school grounds.

13 Sec. _____. Section 708.8, Code 2014, is amended to
14 read as follows:

15 **708.8 Going armed with intent.**

16 A person who goes armed with any dangerous weapon
17 with the intent to use without justification such
18 weapon against the person of another commits a class
19 "D" felony. The intent required for a violation
20 of this section shall not be inferred from the mere
21 carrying or concealment of any dangerous weapon itself,
22 including the carrying of a loaded firearm, whether in
23 a vehicle or on or about a person's body.

24 Sec. _____. Section 724.4, Code 2014, is amended by
25 striking the section and inserting in lieu thereof the
26 following:

27 **724.4 Use of a knife in the commission of a crime.**

28 A person who goes armed with a knife on or about the
29 person, if the person uses the knife in the commission
30 of a crime, commits an aggravated misdemeanor.

31 Sec. _____. Section 724.4B, Code 2014, is amended by
32 striking the section and inserting in lieu thereof the
33 following:

34 **724.4B Carrying weapons on school grounds — penalty**
35 **— exceptions.**

36 1. A person who goes armed with, carries, or
37 transports a firearm of any kind, whether concealed or
38 not, on the grounds of a school commits a class "D"
39 felony. For the purposes of this section, "school"
40 means a public or nonpublic school as defined in
41 section 280.2.

42 2. Subsection 1 does not apply to the following:

43 a. A person who has been specifically authorized
44 by the school to go armed with, carry, or transport a
45 firearm on the school grounds for any lawful purpose.

46 b. A peace officer, when the officer's duties
47 require the person to carry such weapons.

48 c. A member of the armed forces of the United
49 States or of the national guard or person in the
50 service of the United States, when the weapons are

1 carried in connection with the person's duties as such.

2 *d.* A correctional officer, when the officer's
3 duties require, serving under the authority of the Iowa
4 department of corrections.

5 *e.* A person who for any lawful purpose carries an
6 unloaded pistol, revolver, or other dangerous weapon
7 inside a closed and fastened container or securely
8 wrapped package which is too large to be concealed on
9 the person.

10 *f.* A person who for any lawful purpose carries or
11 transports an unloaded pistol or revolver in a vehicle
12 inside a closed and fastened container or securely
13 wrapped package which is too large to be concealed on
14 the person or inside a cargo or luggage compartment
15 where the pistol or revolver will not be readily
16 accessible to any person riding in the vehicle or
17 common carrier.

18 *g.* A law enforcement officer from another state
19 when the officer's duties require the officer to carry
20 the weapon and the officer is in this state for any of
21 the following reasons:

22 (1) The extradition or other lawful removal of a
23 prisoner from this state.

24 (2) Pursuit of a suspect in compliance with chapter
25 806.

26 (3) Activities in the capacity of a law enforcement
27 officer with the knowledge and consent of the chief
28 of police of the city or the sheriff of the county in
29 which the activities occur or of the commissioner of
30 public safety.

31 Sec. _____. Section 724.4C, Code 2014, is amended to
32 read as follows:

33 **724.4C Possession or carrying of firearms while**
34 **under the influence.**

35 ~~1. A permit issued under this chapter is invalid~~
36 ~~if the~~ Except as provided in subsection 2, a person
37 ~~to whom the permit is issued is commits a serious~~
38 misdemeanor if the person is intoxicated as provided
39 under the conditions set out in section 321J.2,
40 subsection 1-, and the person does any of the
41 following:

42 a. Carries a dangerous weapon on or about the
43 person.

44 b. Carries a weapon within the person's immediate
45 access or reach while in a vehicle.

46 2. This section shall not apply to any of the
47 following:

48 a. A person who carries or possesses a dangerous
49 weapon while in the person's own dwelling, place of
50 business, or on land owned or lawfully possessed by the

1 person.

2 b. The transitory possession or use of a firearm
3 during an act of justified self-defense or justified
4 defense of another, provided that the possession lasts
5 no longer than is immediately necessary to resolve the
6 emergency.

7 Sec. _____. Section 724.5, Code 2014, is amended by
8 striking the section and inserting in lieu thereof the
9 following:

10 **724.5 Availability of permit not to be construed as**
11 **prohibition on unlicensed carrying of weapons.**

12 The availability of a professional or
13 nonprofessional permit to carry weapons under
14 this chapter shall not be construed to impose a general
15 prohibition on the unlicensed carrying, whether openly
16 or concealed, of a deadly weapon, including a loaded
17 firearm.>

18 2. By renumbering as necessary.

SHAW of Pocahontas